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| NSMITTA | | Docket No. 14418 | | | | | | | |
| application C | of: Benjamin Eitha | n Reubinoff, et al. | 0 2004 | | | | | | |
| Application No. Filing Date | | Examiner Examiner | Group Art Unit | Confirmation No. | | | | | |
| 808,382 | 3,382 March 14, 2001 Deborah Crouch | | 23389 | 1632 | 1139 | | | | |
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| | | Alexandria, VA 22313- | | | | | | | |
| 1. The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114. | | | | | | | | | |
| | | 37 CFR 1.97(c) |) | | | | | | |
| The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of: | | | | | | | | | |
| 🛚 the | statement specified | in 37 CFR 1.97(e); | | | | | | | |
| _ | | OR · | | | | | | | |
| ☐ the | fee set forth in 37 Cl | гк 1.17(р). | | | | | | | |
| | The Information Action after CFR 1.97 Final Action therewise | The Information Disclosure Storia national application other three months of the date of er application; before the mailing Action after the filing of a requestion of the Information Disclosure Storia national application other three months of the date of er application; before the mailing Action after the filing of a requestion. The Information Disclosure Storia national Action under 37 CFR otherwise closes prosecution in | Address to: Commissioner for Pat P.O. Box 1450 Alexandria, VA 22313- 37 CFR 1.97(b) The Information Disclosure Statement submitted herewith is of a national application other than a continued prosecution three months of the date of entry of the national stage as application; before the mailing of a first Office Action on the Action after the filling of a request for continued examination 37 CFR 1.97(c) The Information Disclosure Statement submitted herewith is of a national application other than a continued prosecution three months of the date of entry of the national stage as application; before the mailing of a first Office Action on the Action after the filling of a request for continued examination 37 CFR 1.97(c) The Information Disclosure Statement submitted herewith is CFR 1.97(b), provided that the Information Disclosure Statement submitted herewith is CFR 1.97(b), provided that the Information Disclosure Statement submitted herewith is CFR 1.97(b), provided that the Information Disclosure Statement submitted herewith is CFR 1.97(b), provided that the Information Disclosure Statement submitted herewith is CFR 1.97(b), provided that the Information Disclosure Statement submitted herewith is CFR 1.97(b), provided that the Information Disclosure Statement submitted herewith is CFR 1.97(b), provided that the Information Disclosure Statement submitted herewith is continued examination. | Cation No. Filing Date Examiner TRAD Eustomer No. 1808,382 March 14, 2001 Deborah Crouch 23389 EMBRYONIC STEM CELLS AND NEURAL PROGENITOR CELLS DERIVE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 37 CFR 1.97(b) The Information Disclosure Statement submitted herewith is being filed within of a national application other than a continued prosecution application unthree months of the date of entry of the national stage as set forth in 37 CF application; before the mailing of a first Office Action on the merits, or before Action after the filing of a request for continued examination under 37 CFR 1.97(c) The Information Disclosure Statement submitted herewith is being filed after CFR 1.97(b), provided that the Information Disclosure Statement is filed be Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFF otherwise closes prosecution in the application, and is accompanied by one of the statement specified in 37 CFR 1.97(e); | Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 The Information Disclosure Statement submitted herewith is being filed within three months of a national application other than a continued prosecution application under 37 CFR 1.491 in an ir application; before the mailing of a first Office Action on the merits, or before the mailing of a Action after the filing of a request for continued examination under 37 CFR 1.114. 37 CFR 1.97(c) The Information Disclosure Statement submitted herewith is being filed within three months of a national application other than a continued prosecution application under 37 CFR 1.491 in an ir application; before the mailing of a first Office Action on the merits, or before the mailing of a Action after the filing of a request for continued examination under 37 CFR 1.114. 37 CFR 1.97(c) The Information Disclosure Statement submitted herewith is being filed after the period spec CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an otherwise closes prosecution in the application, and is accompanied by one of: | | | | |

| TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT (Under 37 CFR 1.97(b) or 1.97(c)) | | | | | | | | | | |
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| In Re Application: Benjamin Eithan Reubinoff, et al. | | | | | | | | | | |
| Filing Date | Examiner | TRADE | Customer No. | Group Art Unit | Confirmation No. | | | | | |
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| EMBRYONIC STEM CELLS AND NEURAL PROGENITOR CELLS DERIVED THEREFROM | | | | | | | | | | |
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| or is hereby authorized below. Darge the amount of edit any overpayment arge any additional for ate of Transmission below. | t. ee required. y Facsimile* | Ce I certify the 7/28/2004 mail und Commission | ertificate of Mail at this document a with the ler 37 C.F.R. 1 former for Patents, 50. | nd fee is being depo U.S. Postal Service .8 and is addre P.O. Box 1450, Ale | os Mail osited on e as first class ssed to the exandria, VA | | | | | |
| Printed Name of Person Sig | ning Certificate | Edward W. Grolz Typed or Printed Name of Person Mailing Certificate | | | | | | | | |
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| | (Under 37 CFI In: Benjamin Eitha Filing Date March 14, 2001 NIC STEM CELLS And (Only continuous of particular and authorized below. It is a document and authorized and facsimile transmitted temark Office (Fax. No.) Signature Printed Name of Person Signature Signature Signature | Cunder 37 CFR 1.97(b) or 1.97(c) The Benjamin Eithan Reubinoff, et al. Filing Date March 14, 2001 Payme (Only complete if Applicant elect the amount of is attack or is hereby authorized to charge and creeded below. Harge the amount of edit any overpayment. Harge any additional fee required. Harden for a facsimile transmission by Facsimile* Socioument and authorization to charge depositing facsimile transmitted to the United States demark Office (Fax. No. Signature Printed Name of Person Signing Certificate Signature Signature Signature Printed Name of Person Signing Certificate Signature Signature Printed Name of Person Signing Certificate Signature Signature | Filing Date Filing Date March 14, 2001 Payment of Fee (Only complete if Applicant elects to pay the the amount of is attached. or is hereby authorized to charge and credit Deposited below. harge the amount of edit any overpayment. harge any additional fee required. hate of Transmission by Facsimile* Condument and authorization to charge depositing facsimile transmitted to the United States demark Office (Fax. No. Signature Printed Name of Person Signing Certificate Signature Dated: 3,705 hy & Presser aza | Filing Date March 14, 2001 Payment of Fee (Only complete if Applicant elects to pay the fee set forth in 37 the amount of is attached. or is hereby authorized to charge and credit Deposit Account No. arge the amount of edit any overpayment. arge any additional fee required. atte of Transmission by Facsimile* Certificate of Mail Transmitted to the United States temark Office (Fax. No. Signature Signature Signature Printed Name of Person Signing Certificate Signature Signature Dated: July 28, 2004 Signature Dated: July 28, 2004 | Filing Date Examiner Paper Sustomer No. Group Art Unit March 14, 2001 Deborah Crouch 23389 1632 Payment of Fee (Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p)) the amount of is attached. The amount of is attached. The amount of edit any overpayment, large any additional fee required. The attached attended of Person Signing Certificate and is address legans Office (Fax. No. Signature Signature Signature Signature Dated: July 28, 2004 Dated: July 28, 2004 Dated: July 28, 2004 Dated: July 28, 2004 | | | | | |

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Benjamin Eithan Reubinoff, et al.

Examiner:

Deborah Crouch

Serial No.:

09/808,382

Art Unit:

1632

Filed:

March 14, 2001

Docket:

14418

For:

EMBRYONIC STEM CELLS

AND NEURAL PROGENITOR

CELLS DERIVED THEREFROM

Date:

July 28, 2004

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Confirmation No.: 1139

Mail Stop Amendment Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R §§1.97 and 1.98, it is requested that the references,

listed on the attached Form PTO-1449, be made of record in the above-identified case.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 28, 2004.

Dated: July 28, 2004

Edward W. Grolz

The references were cited in a Supplementary Partial Search Report dated April 29, 2004

received from the European Patent Office. Applicants are submitting copies of the cited

references, together with a copy of the Search Report. The relevance of the references has been

described in the Search Report.

The Search Report also cites T. Mujtaba, et al. and Li, et al., which were submitted in an

Information Disclosure Statement dated April 29, 2004. Therefore, these two references are not

included in the attached Form PTO-1449.

Further, since certification pursuant to 37 C.F.R. §1.97(c) and (e) the information

presented in this Information Disclosure Statement was first cited in a communication from the

European Patent Office in connection with a corresponding European application not more than

three months prior to the filing of this statement is enclosed herewith, no fee under 37 C.F.R.

§1.197(c) is required.

Consideration of this Information Disclosure Statement is respectfully requested, since

the art provided may be material to the examination of the present application as defined under

37 C.F.R. §1.56.

Respectfully submitted,

Edward W. Grolz

Registration No. 33,705

Scully, Scott, Murphy & Presser 400 Garden City Plaza

400 Garden City Plaza

Garden City, NY 11530 Telephone: (516) 742-4343

EWG/XZ:ng

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| Form PTO-1449 U.S. DEPARTMENT OF COMMERCE (REV. 7-80) PATENT AND TRADEMARK OFFICE | | | Atty. Docket No. (Optional) | | | Application Number | | | | |
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| INFORMATION DISCLOSURE CITATION | | | 14418 | | | 09/808,382 | | | | |
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| JUL 3 0 2004 (m) | | | Applicant(s) Benjamin Eithan Reubinoff, et al. | | | | | | | |
| A STATE OF THE STA | | | | Filing Date March 14, 2001 | | | Group Art Unit 1632 | | | |
| | | | | TENT I | OCUMENTS | | | | | |
| EXAMINE INITIAL* | · | DOCUMENT NUME | BER DATE | | NAME | CLASS | SUBCLASS | FILING DATE (if appropriate) | | |
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| | <u> </u> | | OTHER | DOCU | MENTS (Includin | ng Author, Title, | Date, Pertinent i | Pages, Etc.) | l | |
| | 1. R.A. Pedersen, "Studies of <i>in vitro</i> Differentiation with Embryonic Stem Cells", Reprod. Fertil. Dev., Vol. 6, pp. 543-552, (1994) | | | | | | | | | |
| | 2. | P.D. Rathjen, et al., "Properties and Uses of Embryonic Stem Cells: Prospects for Application to Human Biology and Gene Threapy", <u>Reprod. Fertil. Dev.</u> , Vol. 10, pp. 31-47, (1998) | | | | | | | | |
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

pplicants:

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Confirmation No.: 1139

Mail Stop Amendment Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

STATEMENT PURSUANT TO 37 C.F.R. § 1.97(c)(1) and (e)(1)

Sir:

I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from the European Patent Office in connection with the subject applications counterpart European application not more than three months prior to the filing of this statement.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Box 1450, Alexandria, VA 22313-1450 on July 28, 2004.

Dated: July 28, 2004

JUL 3 0 2004

Accordingly, it is respectfully requested that the accompanying Information (IRADE

Disclosure Statement be considered with respect to the above-identified application.

Respectfully submitted,

Edward W. Grolz

Registration No. 33,705

Scully, Scott, Murphy & Presser 400 Garden City Plaza Garden City, New York 11530 (516) 742-4343 EWG:ab